

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

SPEKTAR USA, LLC,

Plaintiff,

v.

TEAM PACKAGING, INC.,

Defendant.

No. 4:23-CV-00633

(Chief Judge Brann)

ORDER

JUNE 25, 2025

In accordance with the accompanying Memorandum Opinion, **IT IS
HEREBY ORDERED** that:

1. Plaintiff Spektar USA, LLC's Motion for Summary Judgment (Doc. 35) is **GRANTED** in part and **DENIED** in part:
 - a. As to Counterclaim I (Breach of Contract to Supply Conforming Film), Spektar's Motion for Summary Judgment is **DENIED**.
 - b. As to Counterclaim II (Breach of Representations and Warranties Regarding Loaner Machine), Spektar's Motion for Summary Judgment is **GRANTED**.
 - c. As to Count I (Breach of Contract: Unpaid Invoices 11734, 11735, 12035, 12089 and 12395):

- i. Regarding the failure to pay Invoice No. 11734 under Purchase Order 1035183, Spektar's Motion for Summary Judgment is **DENIED**;
 - ii. Regarding the failure to pay Invoice No. 11735 under Purchase Order 1035183, Spektar's Motion for Summary Judgment is **DENIED**;
 - iii. Regarding the failure to pay Invoice No. 12035 under Purchase Order 1036919, Spektar's Motion for Summary Judgment is **DENIED**;
 - iv. Regarding the failure to pay Invoice No. 12089 under Purchase Order 1037600, Spektar's Motion for Summary Judgment is **GRANTED**; and
 - v. Regarding the failure to pay Invoice No. 12395 under multiple purchase orders, Spektar's Motion for Summary Judgment is **DENIED**.
- d. As to Count II (Breach of Contract: Equipment Purchasing Agreement), Spektar's Motion for Summary Judgment is **GRANTED**.

- e. As to Count III (Conversion / Misappropriation: Spektar's MultiVac R230 Loaner Machine), Spektar's Motion for Summary Judgment is **DENIED**.
 - f. As to Count IV (Unjust Enrichment), Spektar's Motion for Summary Judgment is **DENIED**.
2. The Court shall schedule a telephonic status conference with counsel of record by separate Order.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

Chief United States District Judge